

CISPES

Permanent Select Committee on Intelligence: Held a hearing on the Committee in Solidarity with the People of El Salvador (CISPES). Testimony was heard from William S. Sessions, Director, FBI, Department of Justice.

LEGALIZATION OF ELICIT DRUGS: IMPACT AND FEASIBILITY

Select Committee on Narcotics Abuse and Control: Held a hearing on "Legalization of Elicit Drugs: Impact and Feasibility". Testimony was heard from Representatives Scheuer, Hubbard, Dyson, Cardin, Mfume, and Fascal; John Lawn, Administrator, DEA, Department of Justice; Charles R. Schuster, Director, National Institute on Drug Abuse, NIH, Department of Health and Human Services; Kurt L. Schmoke, Mayor, Baltimore, MD; Marion S. Barry, Jr., Mayor, Washington, DC; Donald Master, Mayor, Charles Town, WV; Carrie Saxon Perry, Mayor, Hartford, CT; Edward I. Koch, Mayor, New York City; Dennis Callahan, Mayor, Annapolis, MD; and public witnesses.

Joint Meetings

Joint Hearing: Senate Committee on Agriculture, Nutrition, and Forestry's Subcommittee on Agricultural Research and General Legislation held joint hearings with the House Committee on Agriculture's Subcommittee on Department Operations, Research, and Foreign Agriculture to review critical challenges facing agricultural research, receiving testimony from Theodore L. Hullar, University of California, Davis; William E. Marshall, Pioneer Hi-Bred International, Inc., Johnston, Iowa; Mary-Dell Chilton, North Carolina State University, Durham, on behalf of CIBA-Geigy Corporation, and the Council of the National Academy of Sciences; and Peter Day, Rutgers University, New Brunswick, New Jersey.

Hearings were recessed subject to call.

SBA REAUTHORIZATION AND AMENDMENT ACT

Conferees agreed to file a conference report on H.R. 4174, to amend the Small Business Act and the Small Business Investment Act of 1958.

CAPITAL OWNERSHIP DEVELOPMENT PROGRAM

Conferees continued to resolve the differences between the Senate- and House-passed versions of H.R. 1807, to amend the Small Business Act, to reform the Capital Ownership Development Program, but did not complete action thereon, and will meet again tomorrow.

Friday, September 30, 1988

Senate**Chamber Action**

Routine Proceedings, pages 26857-27136

Measures Introduced: Five bills and four resolutions were introduced, as follows: S. 2847-2851 and S.J. Res. 389-392.

Page 27034

Measures Reported: Reports were made as follows:

H.R. 4030, to strengthen certain fish and wildlife laws, with amendments. (S. Rept. No. 100-563)

S. 2723, to partition certain reservation lands between the Hoopa Valley Tribe and the Yurok Indians, to clarify the use of tribal timber proceeds, with an amendment in the nature of a substitute. (S. Rept. No. 100-564)

S. Con. Res. 76, to acknowledge the contribution of the Iroquois Confederacy of Nations to the Development of the United States Constitution and to reaffirm the continuing government-to-government relationship between Indian tribes and the United States established in the Constitution (S. Rept. No. 100-565)

H.R. 4068, to amend the Archeological Resources Protection Act of 1979 to strengthen the enforcement provisions of that Act, with amendments. (S. Rept. No. 100-566)

H.R. 791, to authorize the water resources research activities of the United States Geological Survey, with an amendment in the nature of a substitute. (S. Rept. No. 100-567)

S. 850, to amend the Wild and Scenic Rivers Act to designate a segment of the Rio Chama River in New Mexico as a component of the National Wild and Scenic Rivers System, with an amendment in the nature of a substitute. (S. Rept. No. 100-568)

S. 1985, to improve the protection and management of archeological resources on federal land. (S. Rept. No. 100-569)

S. 2148, to amend the Wild and Scenic Rivers Act of 1968, with an amendment in the nature of a substitute. (S. Rept. No. 100-570)

S. 2264, to authorize the Secretary of the Interior to exchange certain Federal mining rights for certain lands in New Mexico, with an amendment in the nature of a substitute. (S. Rept. No. 100-571)

S. 2545, to redesignate Salinas National Monument in the State of New Mexico, with an amendment in the nature of a substitute. (S. Rept. No. 100-572)

S. 2617, to revise the boundary of Aztec Ruins National Monument in the State of New Mexico, with an amendment. (S. Rept. No. 100-573)

S. 2750, to authorize a study on wetlands to commemorate the nationally significant contributions of Georgia O'Keefe, with an amendment and an amendment to the title. (S. Rept. No. 100-574)

S. 2767, to authorize a study of the history and culture of Warm Springs, New Mexico, in order to preserve its historic and cultural legacy for future generations. (S. Rept. No. 100-575)

H.R. 2985, to designate the facility of the United States Postal Service located at 850 Newark Turnpike in Kearny, New Jersey, as the "Dominick V. Daniels Postal Facility".

S. Res. 412, expressing the sense of the Senate with regard to the use of degradable products.

S. 2571, to designate certain National Forest System lands in the State of Oklahoma for inclusion in the National Wilderness Preservation System, create the Winding Stair Mountain National Recreation and Wilderness Area, and for other purposes, with an amendment in the nature of a substitute. (S. Rept. No. 100-576)

H.R. 2677, to establish procedures for review of tribal constitutions and bylaws or amendments thereto pursuant to the Act of June 18, 1934 (48 Stat. 987), with an amendment in the nature of a substitute. (S. Rept. No. 100-577)

S. 2838, to designate the Sipsey River as a component of the National Wild and Scenic Rivers System, to designate certain areas as additions to the Sipsey Wilderness, to designate certain areas as additions to the Cheaha Wilderness, and to preserve over thirty thousand acres of pristine natural treasures in the Bankhead National Forest for the aesthetic and recreational benefit of future generations of Alabamians, and for other purposes. (S. Rept. No. 100-578)

S. 2672, to provide Federal recognition for the Lumbee Tribe of North Carolina, with an amendment in the nature of a substitute. (S. Rept. No. 100-579)

S. 136, to improve the health status of Native Hawaiians, with an amendment in the nature of a substitute. (S. Rept. No. 100-580)

H.R. 3621, to declare that certain lands located in California and held by the Secretary of the Interior are lands held in trust for the benefit of certain bands of Indians and to declare such lands to be part of the reservation with which they are contiguous, with amendments. (S. Rept. No. 100-581)

S. 2752, to declare that certain lands be held in trust for the Quinault Indian Nation, and for other purposes, with an amendment in the nature of a substitute. (S. Rept. No. 100-582)

Page 27033

Measures Passed:

Alcee L. Hastings—Impeachment Proceedings: Senate agreed to S. Res. 480, to carry the impeach-

ment proceedings against Judge Alcee L. Hastings over to the 101st Congress.

Page 26867

Colorado River Storage Project: Senate passed H.R. 3408, to increase the amounts authorized for the Colorado River Storage Project, after agreeing to Garn Amendment No. 3317, to modify the boundary of the Uinta National Forest to include certain Strawberry Valley Project lands currently administered by the Bureau of Reclamation, and to compensate the Strawberry Users Association for certain contractual surface rights.

Page 26868

Amending Standing Rules of the Senate: Senate agreed to S. Res. 479, to amend rule XXVI of the Standing Rules of the Senate to authorize the Committee on Rules and Administration to direct Senate committees to report two year authorizing resolutions and to permit the Committee on Rules and Administration to report one authorization resolution containing more than one committee authorization resolution.

Page 26875

National Paralysis Awareness Week: Committee on the Judiciary was discharged from further consideration of S.J. Res. 364, to designate the week of October 2 through October 8, 1988, as "National Paralysis Awareness Week", and the resolution was then passed.

Page 26877

Judicial District of Maryland: Senate passed H.R. 1596, to amend title 28, United States Code, to create two divisions in the Judicial District of Maryland.

Page 26877

Enrollment Correction: Senate agreed to H. Con. Res. 373, correcting technical errors in the enrollment of H.R. 1467, authorizing appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992.

Page 26877

Forest Wildlife Emergency Pay Equity Act: Senate passed S. 1911, to amend title 5, United States Code, to allow all forest fire fighting employees to be paid overtime without limitation while serving on forest fire emergencies, after agreeing to a committee amendment in the nature of a substitute.

Page 26878

Negotiated Rule Making Act: Senate passed S. 1504, to provide for an alternative to the present adversarial rule making procedure by establishing a process to facilitate the formation of negotiated rule making committees, after agreeing to a committee amendment in the nature of a substitute.

Page 26879

Winding Stair Mountain Recreation and Wilderness Area: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 4354, to designate certain National Forest System lands in the State of Oklahoma for inclusion in the National Wilderness Preservation System, and create the Winding Stair Mountain National Recreation and Wilderness Area, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2571, Senate companion measure, with a committee amendment in the nature of a substitute.

Page 26939

S. 2571 was indefinitely postponed.

Page 26943

Inter-American Convention on International Commercial Arbitration: Senate passed S. 2204, to implement the Inter-American Convention on International Commercial Arbitration, after agreeing to a committee amendment.

Page 27093

Promotion of Native American Languages: Senate passed S.J. Res. 379, to establish as the policy of the United States the preservation, protection, and promotion of the rights of indigenous Americans to use, practice and develop Native American languages.

Page 27094

Hoopla-Yurok Settlement Act: Senate passed S. 2723, to partition certain reservation lands between the Hoopa Valley Tribe and the Yurok Indians, and to clarify the use of tribal timber proceeds, after agreeing to a committee amendment in the nature of a substitute, and Byrd (for Inouye) Amendment No. 3349, to strike Section 15 of the bill.

Page 27094

Salt River Pima-Maricopa Indian Community Water Rights Settlement Act of 1988: Senate passed H.R. 4102, to provide for the settlement of water rights claims of the Salt River Pima-Maricopa Indian Community in Maricopa County, Arizona, after agreeing to Byrd (for Stennis/Hatfield) Amendment No. 3350, to strike the language of the bill transferring funds to the Ak-Chin project.

Page 27103

Southern California Indian Land Transfer Act: Senate passed H.R. 3621, to declare that certain lands located in California and held by the Secretary of the Interior are lands held in trust for the benefit of certain bands of Indians and to declare such lands to be part of the reservation with which they are contiguous, after agreeing to committee amendments.

Page 27105

Restoration of Democracy to Haiti: Senate agreed to S. Con. Res. 149, expressing the sense of the Congress regarding the restoration of democracy to

Haiti and on conditions for the resumption of United States assistance to that country.

Page 27110

International Fishery Agreement: Senate passed H.R. 4919, to approve the governing international fishery agreement between the United States and the Union of Soviet Socialist Republics, after agreeing to Byrd (for Hollings) Amendment No. 3351, to provide for the authorization for certificates of documentation of certain vessels, and to provide for the transfer of the Coast Guard Cutter *Ingham*.

Page 27110

National Wild and Scenic Rivers Act Week: Committee on the Judiciary was discharged from further consideration of S.J. Res. 378, designating the week of October 2 through 8, 1988, as "National Wild and Scenic Rivers Act Week", and the resolution was then passed.

Page 27112

Restoration of Democracy in Panama: Senate agreed to S. Con. Res. 140, calling for the restoration of democracy in Panama and pledging economic assistance, after agreeing to the following amendments proposed thereto:

Page 27112

(1) Armstrong (for Gramm) Amendment No. 3352, to promote vigorously free enterprise and democracy in Panama through limited government and the fundamental economic rights and opportunities that support and sustain them.

Page 27112

(2) Armstrong (for Gramm) Amendment No. 3353, to amend the preamble.

Page 27115

Health Status of Native Hawaiians: Senate passed S. 136, to improve the health status of Native Hawaiians, after agreeing to a committee amendment in the nature of a substitute and a Byrd (for Inouye) Amendment No. 3354, of a technical nature.

Page 27115

Landless Indian Tribes—Rights to Organize: Senate passed H.R. 2677, to establish procedures for review of tribal constitutions and bylaws or amendments thereto pursuant to the Act of June 18, 1934 (48 Stat. 987), after agreeing to a committee amendment in the nature of a substitute, and the following amendments proposed thereto:

Page 27120

(1) Byrd (for Proxmire) Amendment No. 3355, to provide for the use and distribution of funds awarded to Wisconsin Band of Potawatomi in docket 28 of the United States Claims Court, and to declare certain lands are held in trust for Potawatomi Indian communities in Wisconsin and Michigan.

Page 27123

(2) Byrd (for Inouye) Amendment No. 3356, to declare that certain lands located in California and

held by the Secretary of the Interior are lands held in trust for the benefit of certain bands of Indians and to declare such lands to be part of the reservation with which they are contiguous.

Page 27123

(3) Armstrong (for Murkowski) Amendment No. 3357, to include wildlife proceeds received between the date of withdrawal and the date of conveyance from harvests on lands conveyed pursuant to the Act.

Page 27124

Pipeline Safety Reauthorization Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 2266, to amend the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 to authorize appropriations for fiscal years 1988 and 1989, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2424, after agreeing to committee amendments, and taking action on the following amendments proposed thereto:

Page 27125

Adopted:

(1) Byrd (for Johnston) Amendment No. 3358, concerning the safety in the vicinity of pipeline facilities.

Page 27130

(2) Byrd (for Exon) Amendment No. 3359, to allow written power of attorney under Truth in Mileage Act of 1986, to clarify the definition of "transferor, and to provide for annual odometer updates.

Page 27131

(3) Armstrong (for Durenberger) Amendment No. 3360, to provide that the Secretary shall increase by not less than 2 the number of instructors in pipeline safety at the Transportation Safety Institute.

Page 27131

(4) Armstrong (for Kasten) Amendment No. 3362, to clarify the intent of Congress relating to the 1978 codification of title 49 United States Code.

Page 27133

Withdrawn:

Armstrong (for Durenberger) Amendment No. 3361, to authorize State enforcement of Federal pipeline safety regulations.

Page 27132

Parental and Medical Leave Act: Senate continued consideration of S. 2488, to grant employees parental and temporary medical leave under certain circumstances, with committee amendments and additional amendments proposed thereto, as follows:

Pages 26891, 26934

Pending:

(1) Byrd motion to recommit the bill, with instructions to report back forthwith, with an amendment, as contained in Byrd Amendment No. 3308.

Page 26522

(2) Byrd Amendment No. 3309, in the nature of a substitute for the instructions.

Page 26539

(3) Byrd Amendment No. 3310 (to Amendment 3309), of a perfecting nature.

Page 26558

During consideration of this measure today, Senate took the following action:

By 52 yeas to 42 nays (Vote No. 344), Senate tabled the Dole motion to postpone further consideration of the bill until 4 p.m., Thursday, October 6.

Page 26939

Senate will continue consideration of the bill and pending amendments proposed thereto, on Monday, October 3, with a vote on the cloture motion to occur at 1 p.m. (30 minute vote)

Pinelands National Reserve Center: Senate concurred in the House amendment to S. 1165, to authorize the Secretary of the Interior to provide for the development and operation of a visitor and environmental education center in the Pinelands National Reserve, in the State of New Jersey.

Page 26875

Coastal Heritage Trail: Senate concurred in the amendments of the House to S. 2057, to provide for the establishment of the Coastal Heritage Trail in the State of New Jersey, with a Byrd (for Bradley) Amendment No. 3318, to designate the Coastal Heritage Trail Route and to further the utilization and rehabilitation of the area known as Officers Row located within the Sandy Hook Unit of the Gateway National Recreation Area, New Jersey, by permitting the State of New Jersey to construct a marine sciences laboratory.

Page 26875

Foreign Operations Appropriations—Conference Report: Senate agreed to the conference report on H.R. 4637, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1989.

Pages 26898, 27028

Senate concurred in the House amendment to Senate Amendments Nos. 1, 5, 7, 10, 11, 23, 31, 33, 35, 44, 47, 53, 55, 62, 64, 70, 84, 86, 87, 89, 90, 101, 103, 111, 112, 115, 124, 133, 135, 141, 144, 169–173, 175, 177, 179, and 180.

Page 26902

Senate concurred in the House amendment to Senate Amendment No. 119, taking action on additional amendments proposed thereto, as follows:

Pages 26906, 26922

Adopted:

(1) Pell Modified Amendment No. 3320 (to the House Amendment to the Senate Amendment No.

119), to extend the authority of the Overseas Private Investment Corporation to issue political risk insurance and guarantees until September 30, 1992, to continue a cultural exchange program sponsored by the United States Information Agency, and to prohibit the exclusion from entry into the United States or the deportation of any individual solely because of his or her expressed beliefs.

Page 26919

(2) Domenici/Bingaman Modified Amendment No. 3337 (to Amendment No. 3320), to permit release of USIA film "Land of Enchantment" to the National Archives so it can be used in the production of an educational film on the history of art in New Mexico.

Page 26919

Rejected:

(1) Symms Modified Amendment No. 3319 (to the House Amendment to the Senate Amendment No. 119), to strike the 6-year authorization for additional U.S. contributions to the World Bank. (By 57 yeas to 34 nays (Vote No. 342), Senate tabled the amendment.)

Page 26909

(2) Metzenbaum Amendment No. 3321 (to Amendment No. 3320), to prohibit the Overseas Private Investment Corporation from insuring, reinsuring or guaranteeing projects overseas under certain circumstances. (By 72 yeas to 23 nays (Vote 343), Senate tabled the amendment.)

Pages 26910, 26918

Senate concurred in the House amendment to Senate Amendment No. 176, agreeing to the following amendments proposed thereto:

Page 26922

(1) Helms Amendment No. 3338 (to the House Amendment to the Senate Amendment No. 176), to provide for the enactment of sanctions on Iraq to deter Iraq's use of chemical weapons.

Page 26922

(2) Pell Amendment No. 3339 (to Amendment No. 3338), of a perfecting nature.

Page 26922

Senate concurred in the House amendment to Senate Amendment No. 182, agreeing to the following amendments proposed thereto:

Pages 26928, 26934

(1) Helms Amendment No. 3340 (to the House Amendment to the Senate Amendment No. 182), to stem the proliferation of missiles in the Middle East.

Page 26928

(2) Specter Amendment No. 3342 (to the House Amendment to the Senate Amendment No. 182), to express the sense of the Senate that the President be urged to undertake discussions and negotiations with other nations, which are principal suppliers of arms in the Mideast, to limit the sale of arms to nations in the Mideast.

Page 26929

(3) Helms Amendment No. 3343 (to the House Amendment to the Senate Amendment No. 182), to provide assurances that foreign diplomats accused of violent crimes in the United States will be prosecuted under applicable U.S. laws or required to leave the United States permanently.

Page 26932

Withdrawn:

Specter Amendment No. 3341 (to the House Amendment to the Senate Amendment No. 182), to provide that no funds may be appropriated obligated or expended if after October 1, 1988, any Maverick G. missiles are sold to Kuwait.

Page 26928

Senate concurred in the House Amendment to the Senate Amendment No. 134.

Page 26922

Senate receded from its amendments to the House amendment to Senate amendments No. 176 and 182.

Page 27028

Agriculture Appropriations, 1989—Conference Report: By 90 yeas to 4 nays (Vote No. 345), Senate agreed to the conference report on H.R. 4784, making appropriations for rural development, agriculture, and related agencies programs for the fiscal year ending September 30, 1989.

Pages 26939, 26943

Senate concurred in the House Amendment to Senate Amendment Nos. 1, 12, 22, 43, 46, 56, 68, 75, 82, 90, 91, 109, 120, 121, 122, 126, 127, 128, 129, 130, 131, 140, 141, and 142.

Page 26944

Senate receded from its Amendment Nos. 110 and 134.

Page 26946

Department of Defense Appropriations, 1989—Conference Report: Senate agreed to the conference report on H.R. 4781, making appropriations for the Department of Defense for the fiscal year ending September 30, 1989.

Page 26956

Senate concurred in the House amendment to Senate amendment Nos. 1, 19, 21, 23, 35, 36, 42, 45, 49, 50, 60, 61, 71, 72, 73, 77, 78, 80, 81, 83, 87, 102, 103, 104, 106, 108, 128, 131, 138, 179, 186, 192, 195, 206, 208, 209, 210, 220, 227, 228-230, 232-245, 247-250, 253, 254, 256-261, 263, 264, 269-275, and 277.

Page 26979

Senate concurred in the amendment of the House to Senate amendment No. 78, after taking action on the following amendment proposed thereto:

Pages 26987, 26992

Rejected:

Helms Amendment No. 3344 (to the House amendment to the Senate amendment No. 78), to prevent any funds to be obligated or expended after

December 1, 1988 to dismantle any Poseidon submarines unless the President has certified to Congress that the Soviet Union has dismantled the Krasnoyarsk radar. (By 66 yeas to 25 nays (Vote No. 346), Senate tabled the amendment.)

Page 26988

Senate concurred in the amendment of the House to Senate amendment No. 89, agreeing to the following amendment proposed thereto:

Pages 26992, 27007

(1) Nunn Amendment No. 3345 (to the House amendment to the Senate amendment No. 89), to provide that not later than February 1, 1989, the Secretary of Defense shall submit to the Committees on Appropriations and Armed Services of the Senate and House of Representatives a report setting forth (1) each program, project, or activity for which funds were not requested in the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, for fiscal year 1989 and are made available under this Act for only one educational institution which is identified by the terms of this Act as the institution or organization to perform the program, project, or activity for which such funds are provided, and (2) the name of the institution and the amount of funds made available.

Page 26992

(2) Nunn Amendment No. 3346 (to Amendment No. 3345), in the nature of a substitute. (By 35 yeas to 53 nays (Vote No. 347), Senate failed to table the amendment.)

Page 26992

Senate concurred in the amendment of the House to Senate amendment No. 252, after agreeing to the following amendment proposed thereto:

Page 27007

Cohen Amendment No. 3347 (to the House amendment to the Senate Amendment No. 252), to obligate certain funds for the procurement of 20 Mobile Armored Reconnaissance Vehicles (MARV).

Page 27007

District of Columbia Appropriations, 1989—Conference Report: Senate agreed to the conference report on H.R. 4776, making appropriations for the government of the District of Columbia and other agencies chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989.

Page 27009

Senate concurred in the House amendment to Senate amendment Nos. 3, 12, 19, 21, 22, 24, and 26.

Page 27015

Senate concurred in the House amendment to Senate amendment No. 15, after taking the following action:

Page 27016

By 45 yeas to 44 nays (Vote No. 348), Senate tabled Bradley motion to disagree to House amend-

ment to Senate amendment No. 15 to the conference report.

Page 27016

Senate concurred in the House amendment to the Senate amendment No. 29, after taking action on the following amendment proposed thereto:

Pages 27016, 27022

Rejected:

DeConcini Amendment No. 3348 (to the House amendment to the Senate amendment No. 29), to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, and to protect such employees from improper political solicitations.

Page 27017

Legislative Branch Appropriations, 1989—Conference Report: Senate agreed to the conference report on H.R. 4587, making appropriations for the Legislative Branch for the fiscal year ending September 30, 1989.

Page 27023

Nominations Confirmed: Senate confirmed the following nominations:

John R. Dahl, of North Dakota, Darryl McLaren, of Iowa, Gordon Clyde Southern, of Missouri, and Edward Charles Williamson, Jr., of Georgia, each to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

Milton L. Lohr, of California, to be Deputy Under Secretary of Defense for Acquisition.

4 Air Force nominations in the rank of general.

87 Army nominations in the rank of general.

Lt. Gen. Robert W. Riscassi, to be Vice Chief of Staff of the Army.

12 Navy nominations in the rank of admiral.

Routine lists of Air Force, Army, Marine Corps, and Navy nominations.

Page 27135

Nominations Received: Senate received the following nominations:

Michelle Easton, of Virginia, to be Deputy Under Secretary for Intergovernmental and Interagency Affairs, Department of Education.

Charles E. M. Kolb, of the District of Columbia, to be Deputy Under Secretary for Planning, Budget and Evaluation, Department of Education.

Louis B. Susman, of Missouri, to be a Member of the United States Advisory Commission on Public Diplomacy.

Page 27135

Executive Reports of Committees: The Senate received the following executive reports of committees:

Treaty Doc. 100-8, Treaty between the United States of America and the United Kingdom of Great Britain and Northern Ireland concerning the Cayman Islands relating to Mutual Legal Assistance

in Criminal Matters, with protocol, signed at Grand Cayman, Cayman Islands on July 3, 1986, together with related notes exchanged at London the same day. (Ex. Rept. No. 100-26)

Page 27033

Treaty Doc. 100-13, Treaty on Cooperation between the United States of America and the United Mexican States for Mutual Legal Assistance, signed at Mexico City on December 8, 1987. (Ex. Rept. No. 100-27)

Page 27033

Treaty Doc. 100-14, Treaty between the Government of the United States of America and the Government of Canada on Mutual Legal Assistance in Criminal Matters, with annex, signed at Quebec City on March 18, 1985. (Ex. Rept. No. 100-28)

Page 27033

Treaty Doc. No. 100-16, Treaty between the United States of America and the Kingdom of Belgium on Mutual Legal Assistance in Criminal Matters, signed at Washington on January 28, 1988. (Ex. Rept. No. 100-29)

Page 27033

Treaty Doc. No. 100-17, Treaty between the United States of America and the Commonwealth of the Bahamas on Mutual Assistance in Criminal Matters, signed at Nassau on June 12 and August 18, 1987, with related notes. (Ex. Rept. No. 100-30)

Page 27033

Treaty Doc. No. 100-18, Treaty between the Government of the United States of America and the Government of the Kingdom of Thailand on Mutual Assistance in Criminal Matters, signed at Bangkok on March 19, 1986. (Ex. Rept. No. 100-31)

Page 27033

Presidential Messages: Senate received the following messages from the President of the United States:

(1) Transmitting a revised deferral of budget authority affecting programs of the Department of State; which was referred jointly to the Committees on Appropriations, Budget, and Foreign Relations. (PM-160)

(2) Transmitting 10 deferrals of budget authority affecting programs in funds appropriated to the President, and the Departments of Agriculture, Defense, Energy, Health and Human Services, Justice, State, and Transportation; which was jointly referred to the Committees on Appropriations, Budget, Agriculture, Nutrition, and Forestry, Armed Services, Energy and Natural Resources, Labor and Human Resources, Judiciary, Foreign Relations, and Commerce, Science, and Transportation. (PM-161)

Page 27030

Messages From the President:

Page 27030

Messages From the House:

Page 27031

Measures Referred:

Page 27032

Measures Ordered Placed on Calendar: Page 27032

Statements on Introduced Bills: Page 27034

Amendments Submitted: Page 27062

Additional Cosponsors: Page 27060

Authority for Committees: Page 27069

Additional Statements: Page 27070

Record Votes: Seven record votes were taken today. (Total—348)

Pages 26909, 26918, 26939, 26956, 26992, 27006, 27016

Recess: Senate convened at 10 a.m., and recessed at 1:06 a.m., on Saturday, October 1, until 10 a.m., on Monday, October 3. (For Senate's program, see the remarks of Senator Byrd in today's Record on page 27136.)

Committee Meetings

AGRICULTURAL CREDIT ACT AS IT RELATES TO FmHA

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Agricultural Credit held hearings on the implementation of the Agricultural Credit Act of 1987 as it relates to the Farmers Home Administration, receiving testimony from Vance Clark, Administrator, Farmers Home Administration, Department of Agriculture; Benny Bunting, National Save the Family Farm Coalition, Oak City, North Carolina; Lee Swenson, National Farmers Union, Washington, DC; and James T. Massey, Farmers' Legal Action Group, Inc., St. Paul, Minnesota.

Hearings were recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 16 public bills, H.R. 5426-5441; and 4 resolutions, H.J. Res. 670, H. Con. Res. 381, and H. Res. 559-561 were introduced.

Page 27328

Reports Filed: Reports were filed as follows:

H.R. 5347, to amend title 11 of the United States Code with respect to claims payable from special revenues by municipalities that are debtors (H. Rept. 100-1011);

H.R. 5348, to amend title II of the United States Code with respect to the rejection of executory contracts licensing rights to intellectual property (H. Rept. 100-1012);

Conference report on H.R. 4776, making appropriations for the government of the District of Columbia and other agencies chargeable in whole or in part against the revenues of said District for the

fiscal year ending September 30, 1989 (H. Rept. 100-1013);

H.R. 610, amended; 4755; and 5173; all private bills (H. Repts. 100-1014 to 100-1016, respectively);

H.R. 4712, to reauthorize the Office of Government Ethics, amended (H. Rept. 100-1017);

H.R. 2800, to improve Environmental Protection Agency data collection and dissemination regarding reduction of toxic chemical emissions across all media, to assist States in providing information and technical assistance about waste reduction, amended (H. Rept. 100-1018);

H.R. 2953, to amend title 28, United States Code, to permit the district courts of the United States to enjoin, suspend, or restrain certain State ad valorem property taxes on interstate gas transmission property, amended (H. Rept. 100-1019);

Conference report on S. 908, to amend the Inspector General Act of 1978 (H. Rept. 100-1020);

H.R. 559, providing for the consideration of S. 2846, to provide for the awarding of grants for the purchase of drugs used in the treatment of AIDS (H. Rept. 100-1021);

H. Res. 560, providing recess authority during the legislative days of September 30, 1988 (H. Rept. 100-1022);

H. Res. 351, urging local telephone operating companies to establish community telephone centers to provide free local services for persons who cannot afford residential telephones (H. Rept. 100-1023);

H.R. 5318, to amend the Egg Research and Consumer Information Act to limit the total costs that may be incurred by the Egg Board in collecting producer assessments and having an administrative staff, to eliminate egg producer refunds, and to delay the conducting of any referendum by egg producers on the elimination of such refunds, amended (H. Rept. 100-1024); and

H.R. 4724, to direct the Secretary of Agriculture to release a reversionary interest of the United States in certain land located in Oktibbeha County, Mississippi, amended (H. Rept. 100-1025).

Page 27327

Defense Appropriations: By a yea-and-nay vote of 327 yeas to 77 nays, Roll No. 372, the House agreed to the conference report on H.R. 4781, making appropriations for the Department of Defense for the fiscal year ending September 30, 1989.

Page 27138

House receded in its disagreement and concurred in Senate amendments Nos. 44, 84, 85, 88, 93, 105, 112, 113, 171, and 187.

Page 27138

House receded in its disagreement and concurred, with amendment, in Senate amendments Nos. 1, 19, 21, 23, 35, 36, 42, 5, 49, 50, 60, 61, 71, 72, 73, 77, 78, 80, 81, 83, 87, 89, 102, 103, 104, 106, 108,

128, 131, 138, 179, 186, 192, 195, 206, 208, 209, 210, 220, 337, 228, 229, 230, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 247, 248, 249, 250, 252, 253, 254, 256, 257, 258, 259, 260, 261, 263, 264, 269, 270, 271, 272, 273, 274, 275, and 277—clearing the measure for Senate action.

Page 27147

H. Res. 555, the rule which waived certain points of order against the conference report, was agreed to earlier by a voice vote.

Page 27138

Family Welfare Reform Act: By a yea-and-nay vote of 347 yeas to 53 nays, with 1 voting "present", Roll No. 373, the House agreed to the conference report on H.R. 1720, to replace the existing AFDC program with a new Family Support Program which emphasizes work, child support, and need-based family support supplements, to amend title IV of the Social Security Act to encourage and assist needy children and parents under the new program to obtain the education, training, and employment needed to avoid long-term welfare dependence, and to make other necessary improvements to assure that the new program will be more effective in achieving its objectives—clearing the measure for the President.

Page 27173

Subsequently, House agreed to S. Con. Res. 148, to correct technical errors in the enrollment of H.R. 1720—clearing the measure.

Page 27196

H. Res. 556, the rule which waived certain points of order against the conference report, was agreed to earlier by a voice vote.

Page 27173

Water Resources Development: House passed to H.R. 5247, to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States.

Page 27200

Agreed to the committee amendment in the nature of a substitute.

Agreed to:

The Anderson en bloc amendments that amends language regarding previously authorized projects, primarily in the areas of flood control, navigation and land transfers; as well as, Corps of Engineers activities, pilot programs, water delivery systems and guidelines for non-Federal interest participation; and

Page 27218

The Petri amendment, as amended by the Fazio amendment, that strains language dealing with the application of the national flood insurance program in the Sacramento, California, area for developing

new structures, while permitting insurance for structures in place upon the enactment of the bill.

Page 27229

The Hopkins amendment was offered, but subsequently withdrawn, that sought to provide for cost sharing for municipal and industrial water supply by agreement with non-Federal interests, including cost-sharing with respect to operation and maintenance of civil works.

Page 27232

Subsequently, this passage was vacated and S. 2100, a similar Senate-passed bill, was passed in lieu after being amended to contain the language of the House bill as passed. Agreed to amend the title of the Senate bill.

Page 27252

House then insisted on its amendments, and asked for a conference. Appointed as conferees: Representatives Anderson, Roe (except for section 30), Nowak, Hammerschmidt, and Stangeland; and as an additional conferee, for consideration solely of section 30 as contained in the House amendments and modifications committee to conference: Representative Borski.

Page 27285

The Clerk was authorized to correct section numbers, punctuation, cross references, and to make other technical and conforming changes necessary in the engrossment of the House amendments to S. 2100.

H. Res. 535, the rule under which the bill was considered, was agreed to earlier by voice vote.

Page 27198

District of Columbia Appropriations: House agreed to the conference report on H.R. 4776, making appropriations for the government of the District of Columbia and other agencies chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1989.

Page 27252

House receded in its disagreement and concurred in Senate amendments Nos. 6, 23, 25, 27, and 28.

Page 27263

House receded in its disagreement and concurred, with amendment, in Senate amendments Nos. 3, 12, 15, 19, 21, 22, 24, 26, and 29—clearing the measure for Senate action.

Page 27263

Earlier, by a yea-and-nay vote of 134 yeas to 201 nays, Roll No. 374, rejected the Dixon motion that the House recede from its disagreement and concur, with an amendment, in Senate amendment No. 28.

Page 27266

AIDS Treatment Grants: House passed S. 2846, to provide for the awarding of grants for the purchase of drugs used in the treatment of AIDS. Earlier, objection was heard to a unanimous-consent request to consider the bill.

Pages 27197, 27289

H. Res. 559, the rule under which the was considered, was agreed to earlier by a voice vote.

Page 27286

Defense Savings Act: House agreed to H. Res. 557, providing for the consideration of S. 2749, to authorize appropriations for fiscal year 1989 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces.

Page 27286

Presidential Messages: Received and read the following messages from the President:

Budget Deferral: Message wherein he transmits one revised deferral of budget authority affecting programs of the Department of State—referred to the Committee on Appropriations and ordered to be printed (H. Doc. 100-237); and

Budget Deferral—Various Agencies: Message wherein he transmits 10 deferrals of budget authority affecting programs of the Departments of Agriculture, Defense, Energy, Health and Human Services, Justice, State, and Transportation—referred to the Committee on Appropriations and ordered printed (H. Doc. 100-238).

Page 27291

Recess Authority: House agreed to H. Res. 560, providing recess authority during the legislative days of September 30, 1988 and October 1, 1988.

Page 27315

Recess: House recessed at 9:55 p.m. and reconvened at 10:18 p.m.

Page 27315

Defense Appropriations: House agreed to the Senate amendments to House amendments to Senate amendments Nos. 89 and 252 to H.R. 4781, making appropriations for the Department of Defense for the fiscal year ending September 30, 1989—clearing the measure for the President.

Page 27322

Foreign Operations Appropriations: House agreed to the Senate amendment to the House amendment to the Senate amendment No. 119; and disagreed to the Senate amendments to the House amendments to the Senate amendments Nos. 176 and 182 to H.R. 4637, making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 1989—returning the measure to the Senate.

Page 27315

Earlier, a point of order was sustained against the Obey motion to agree to the Senate amendment to the House amendment to the Senate amendment No. 176; and

Page 27316

Rejected the Walker motion to concur in the Senate amendment to the House amendment to the Senate amendment No. 182 (rejected by a ye-and-nay vote of 23 yeas to 234 nays, Roll No. 375).

Page 27318

Recess: House recessed at 11:56 p.m. and reconvened at 11:59 p.m.

Page 27326

Referrals: Five Senate-passed measures were referred to the appropriate House committees.

Page 27326

Quorum Calls—Votes: Five ye-and-nay votes developed during the proceedings of the House today and appear on pages 27146, 27196, 27273, 27323.

Adjournment: Met at noon and adjourned at 12 midnight.

Committee Meetings

CONVENTIONAL STABILITY IN NATO

Committee on Armed Services: Defense Policy Panel held a hearing on conventional stability in NATO and the steps NATO should take in reaching that goal. Testimony was heard from Gen. John R. Galvin, USA, Commander in Chief, U.S. European Command, Supreme Allied Commander, Europe.

NATIONAL COMMISSION ON THE THRIFT INDUSTRY

Committee on Banking, Finance and Urban Affairs: Ordered reported, as amended, H.R. 5407, to establish a National Commission on the Thrift Industry.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health and the Environment held a hearing on legislation to improve the Medicaid program for the mentally retarded, H.R. 5233, Medicaid Quality Services to the Mentally Retarded Amendments of 1988; and H.R. 3454, Medicaid and Community Quality Services Act of 1987. Testimony was heard from Senator Chafee; Representative Bartlett; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H.R. 5043, amended, Post-Employment Restrictions Act of 1988; H.R. 3685, to amend title 31, United States Code, to increase from \$25,000 to \$40,000 the maximum amount that the United States may pay in settlement of a claim against the United States made by a member of the uniformed services or by an officer or employee of the Government; H.R. 4480, to change the name of the Pacific Tropical Botanical Garden, a federally chartered organization, to the National Tropical Botanical Garden; H.J. Res. 644, granting the consent of the Congress to the compact entered into be-

tween the State of North Carolina and the State of South Carolina establishing the Lake Wylie Marine Commission; H.R. 4756, to amend title 18, United States Code, to make permanent certain law enforcement powers currently exercised by officers of the United States engaged in criminal enforcement of environmental laws; H.R. 1417, amended, Torture Victim Protection Act of 1987; H.R. 5115, amended, Legal Immigration Amendments of 1988; H.R. 5329, amended, Immigration Nursing Relief Act of 1988; H.R. 4972, amended, to authorize appropriations for the Patent and Trademark Office in the Department of Commerce; and S. 2350, amended, to clarify the investigatory powers of the United States Senate.

The Committee also approved private claims and immigration bills.

USE OF TRIBAL TIMBER PROCEEDS

Committee on the Judiciary: Subcommittee on Administrative Law and Governmental Relations held a hearing on H.R. 4469, to partition certain reservation lands between the Hooper Valley Tribe and the Yurok Indians, to clarify the use of tribal timber proceeds. Testimony was heard from Representative Bosco; James L. Byrnes, Deputy Assistant Attorney General, Lands Division, Department of Justice; and public witnesses.

IMMIGRATION AND NATIONALITY AMENDMENTS

Committee on the Judiciary: Subcommittee on Immigration, Refugees and International Law approved for full Committee action, as amended, the following bills: H.R. 5115, Legal Immigration Amendments of 1988; and H.R. 5329, Immigration Nursing Relief Act of 1988.

GRANTS FOR AIDS TREATMENT DRUGS

Committee on Rules: Granted a rule providing for consideration in the House of S. 2846, to provide for the awarding of grants for the purchase of drugs used in the treatment of AIDS. The rule provides 1 hour of debate and one motion to commit. Testimony was heard from Representative Waxman.

NUTRITION MONITORING AND RELATED RESEARCH ACT

Committee on Science, Space, and Technology: Subcommittee on Science Research and Technology held a hearing on S. 1081, Nutrition Monitoring and Related Research Act of 1988. Testimony was heard from Jim Harris, Acting Director, Office of Disease Prevention and Health Promotion, Department of Health and Human Services; Suzanne Harris, Deputy Assistant Secretary, Food and Consumer Services, USDA; and public witnesses.

U.S.-SOVIET ECONOMIC RELATIONS

Committee on Small Business: Concluded hearings on U.S.-Soviet Economic Relations, with emphasis on American Small Business. Testimony was heard from public witnesses.

LEGALIZATION OF ELICIT DRUGS: IMPACT AND FEASIBILITY

Select Committee on Narcotics Abuse and Control: Continued hearings on "Legalization of Illicit Drugs: Impact and Feasibility". Testimony was heard from Senator Joseph Galiber, Legislature, State of New York; and public witnesses.

Joint Meetings**SAVANNAH RIVER POWER SURGE INCIDENT**

Joint Hearing: Senate Committee on Governmental Affairs held joint hearings with the House Committee on Government Operations' Subcommittee on Environment, Energy and Natural Resources on matters surrounding the power surge incident at the Savannah River Plant in Aiken, South Carolina, receiving testimony from Senator Thurmond; J. Dexter Peach, Assistant Comptroller General of Resources, Community, and Economic Development Programs, General Accounting Office; Joseph F. Salgado, Deputy Secretary, Troy E. Wade, Acting Assistant Secretary for Defense Programs, Richard W. Starosteki, Deputy Assistant Secretary for Safety, Health and Quality Assurance, James Knight, Director, Office of Safety Appraisals, Robert Smith, Jr., Environment, Safety and Health Onsite Resident (Savannah River Operations Office), Robert M. Keller, Senior Nuclear Engineer, Office of Safety Policy and Standards, Jerry Hulman, Director, Office of Quality Programs, Bill Kaspar, Manager, Savannah River Operations Office, Garry Gibbs, Principal Deputy Assistant Secretary for Environment, Safety and Health, and Ernest C. Baynard III, Assistant Secretary for Environment, Safety and Health, all of the Department of Energy; and John F. Ahearne, Advisory Committee on Nuclear Facilities Safety, Washington, DC.

Hearings were recessed subject to call.

CAPITAL OWNERSHIP DEVELOPMENT PROGRAM/SBA REAUTHORIZATION

Conferees agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 1807, to amend the Small Business Act, to reform the Capital Ownership Development Program, and H.R. 4174, to amend the Small Business Act and the Small Business Investment Act of 1958.

APPROPRIATIONS—DISTRICT OF COLUMBIA

Conferees met to resolve further differences between the Senate- and House-passed versions of H.R. 4776, appropriating funds for fiscal year 1989 for the government of the District of Columbia.

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Monday, October 3, 1988

Senate**Chamber Action**

Routine Proceedings, pages 27355-27778

Measures Introduced: Four bills and four resolutions were introduced, as follows: S. 2852-2855, S. Con. Res. 150, and S. Res. 484-486.

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Measures Reported: Reports were made as follows:

S. 2853, to amend the Safe Drinking Water Act and the Federal Insecticide, Fungicide and Rodenticide Act, to protect groundwater resources from contamination by pesticides, to transfer the liability for pesticide damages in certain circumstances from the user to the registrant, and to preserve the authority of State governments to establish standards for pesticide residues in food. (S. Rept. No. 100-583)

S. 2746, to amend the Federal Aviation Act of 1958, relating to aviation research, with an amendment in the nature of a substitute (S. Rept. No. 100-584)

S. 2777, to authorize a certificate of documentation for the vessel *Gipsy*. (S. Rept. No. 100-585)

H.R. 2032, to authorize the conveyance of the vessel *Lane Victory*. (S. Rept. No. 100-586)

H.R. 2835, to direct the Secretary of Agriculture to release certain restrictions on a parcel of land located in Henderson, Tennessee.

H.R. 4365, to designate the Sunderland National Salmon Station located in Sunderland, Massachusetts, as the "Richard Cronin National Salmon Station."

S. 2437, to direct the Secretary of Agriculture to release a reversionary interest of the United States in certain land located in Oktibbeha County, Mississippi, with an amendment in the nature of a substitute.

Page 27464

Measures Passed:

Commending Robert C. Byrd: Senate agreed to S. Res. 485, expressing the deep appreciation of the Senate to Robert C. Byrd for his dedication to the ideals of representative democracy and for his out-